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OLC 71-2006

16 November 1971

MEMORANDUM FOR THE RECORD

SUBJECT: State Department Meeting on Amendments to the Special Foreign Military and Related Assistance Act (S. 2819)

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1. Today [ ] and I attended a meeting in the State Department to discuss problems posed by various amendments to the Special Foreign Military and Related Assistance Act (S. 2819). The State Department members present represented their offices of General Counsel, Congressional Relations, Bureau of Politico-Military Affairs, and Bureau of East Asian and Pacific Affairs (Laos/Cambodia). We advised the group of the problems the Agency had with certain provisions and it was agreed that in State's position paper on the bill they would recommend the following:

a. Section 512--delete the section if feasible, but there are no serious issues.

b. Section 513--delete the entire section if possible. If not, it is mandatory that Laos be stricken from subsection (a) and it would be desirable to identify the constitutional problem posed by subsection (b).

c. Section 655--get language in the legislative history similar to that put in the conference report on the Symington amendment to the Military Procurement Act (concerning Laos) making it clear that it was not the intent that the cost, authorization and reports requirement, apply to embassy and other nonassistance-related programs in Cambodia.

d. Section 656--get language in the legislative history that the limitation of 50 third country nationals in Cambodia is applicable only to assistance related programs.

e. Section 11 (2)--Department of Defense people feel there is a problem on this section and we are to examine it further.

State Dept. declassification & release instructions on file

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2. We advised the State representatives that we had been in touch with Clark MacGregor, at the White House, who said he supported our position on this legislation and would take care of the matter. State is submitting their draft position paper to DOD and the White House this afternoon before forwarding it to the Foreign Affairs Committee.



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Deputy Legislative Counsel

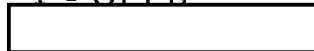
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